



The claimed process produces hydroxylated benzene under conditions effective to maximize the stability of the catalyst and the selectivity of the conversion of the oxidant to the hydroxylated product. (see page 3, lines 8-16)

The Kharitonov reference is directed to a process for the preparation of phenol or phenol derivatives by oxidation of the aromatic nucleus of benzene or benzene derivatives with nitrous oxide at a temperature within the range of 275°C to 240°C over a certain zeolite catalyst. (column 3, lines 39-54) It appears from the description of the reaction including the examples, that the process described in Kharitonov is carried out as a conventional gas phase reaction.

The Kharitonov reference does not disclose nor teach applicants process as claimed. Kharitonov reference does not disclose or teach the use of a distillation column reactor comprising a reaction zone and a distillation zone. Further, applicants claimed process is carried out in such a way that at least a portion of the benzene is in a liquid phase whereas the Kharitonov process is carried out as gas phase. The lower temperature of 275°C for the Kharitonov reference and the upper temperature of 270°C as claimed by applicants is a part of the differences in the process between the gas phase process described by Karitnov and applicants process. In applicants process, the hydorxylated product is separated from the un-reacted benzene in the distillation zone and the hydroxylated product is recovered from the distillation column reactor. Applicants submit that the Examiner has not met the burden to establish *prima facie* obviousness. The Examiner has made no showing or a suggestion or motivation to modify the teachings of Kharitonov to arrive at Applicants' claimed invention as a whole. Accordingly, Applicants respectfully request withdrawal of the rejection.

The Examiner is respectfully requested to reexamine the claims and pass the case to issue. If it would be considered helpful in resolving any issues in the case, the Examiner is encouraged to contact the undersigned at the number below.

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